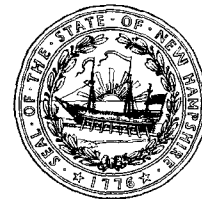




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

July 25, 2006

Mr. Jonathan Chorlian
17 Chestnut Court
Concord, New Hampshire 03301

**CERTIFIED MAIL (7005 1160 0004 7467 7281)
RETURN RECEIPT REQUESTED**

**NOTICE OF PAST VIOLATION
(Asb.)**

RE: Improper Asbestos Removal at 80 School St., Concord, NH

Dear Mr. Chorlian:

The New Hampshire Department of Environmental Services ("DES") inspected a renovation project at 80 School Street in Concord, New Hampshire ("the Property") on March 29, 2006. The Property is owned by you, and you were in the process of converting the multi-family apartment house on the Property into condominiums. After observing that plaster, which may contain asbestos, had been removed and that flooring in several rooms appeared to contain asbestos, DES contacted you and explained the need to conduct an asbestos survey. You had already hired Tri-State Environmental, a licensed asbestos abatement company, to remove asbestos pipe insulation from the basement of the building, and you agreed to have Tri-State Environmental perform the survey as well. Tri-State sampled the plaster, which came back negative for asbestos. You decided to treat the flooring as asbestos-containing material ("ACM"), and Tri-State was hired to remove it.

The purpose of this letter is to notify you of the violation discovered during the March 29, 2006 inspection, as well as the requirements surrounding asbestos abatement, so that you can prevent future violations. The specific violation is as follows:

1. Env-A 1804.01, *Inspections*, requires that, before undertaking any demolition or renovation, each property owner or operator shall provide for an inspection by a trained asbestos inspector of the affected portion(s) of the facility for the presence of ACM. No such inspection was performed before the start of the demolition/renovation project at the Property.

Since you stopped work when requested and hired a licensed asbestos abatement contractor to perform a survey and remove the asbestos pipe insulation and suspect flooring, DES believes that no further action is required at this time in response to the listed violation. You can avoid the improper disturbance of ACM and the health hazards and liability that are associated with exposure to asbestos by complying with Env-A 1800, *Asbestos Management and Control*, a copy of which is enclosed for future reference.

If you believe that DES has cited this violation in error or if you have any questions or require additional information regarding this matter, please contact Mr. Steve Cullinane, Asbestos Program Manager, Compliance Bureau, Air Resources Division, at (603) 271-1373 or Ms. Barbara Hoffman, Enforcement Section Supervisor, Compliance Bureau, Air Resources Division, at (603) 271-7874. A current copy of the Air Resource Division rules can be obtained from the DES website at <http://www.des.nh.gov/rules/air.htm> or by contacting the Public Information Center at (603) 271-2975.

Sincerely,

for Barbara Hoffman
COPY
Pamela G. Monroe
Compliance Bureau Administrator
Air Resources Division

PGM/blh

Enc.: Env-A 1800

cc: G. Hamel, DES Legal Unit Administrator
H. Pilgrim, EPA Region 1
T. Aspell, Jr., Concord City Manager